BEGINS SENTENCE IN JAII

YODER, CONVICTED BY JURY,

PRICE TWO CEN

The Times-Dispatch

SPLIT ON UNION

Board Defeat Plan Is Howled Down.

ALDERMEN TO VOTE TO-NIGHT

Certain Now That Ordinance Will Be Adopted by Safe Majority-Richard, Beaten in Council, Takes Fight to Tool House at Chimborazo.

consolidation of Richmond and Manchester last night, the East End Improvement Association refused adopt a series of prepared resolutions instructing the Marshall Ward Aldermen to vote against the pending ordinance. By a counted vote of 18 to 7, with many not voting, it was declared to be the sense of the meeting that the pending ordinance entails loo heavy a burden on the city of Richmond, although the author of the motion distinctly discisimed any opposition to consolidation as a prin-

The ordinance comes un to-night in the Board of Aldermen for concur-rence in the action taken by the Com-mon Council last Friday night. It will pass without amendment, Many of the Aldermen heard the flood o oratory which kept the Council in ses-sion until midnight, and are not dis-posed to thresh the ground over again. The opposition, made up in the main of delegates from the outlying wards or delegates from the outlying wards, will urge the need of the new area for further improvements, and will seek to load the measure with some amendment that will cause it to go back to the Council. Falling in that, will come as a last resort a move to

back to the Council. Failing in that, will come as a last resort z move to dodge voting by referring it to the people at a special election.

Certain to Get Big Vote.

But from the best information to be secured last night it seems certain that the final roll call will see the ordinance adopted as it came from the Council and with several votes to spare. Seldom in recent years has there been any measure before the Council in which there has been such a sunanineus demand from all parts of the city for its adoption. The commercial bodies without exception have signed a paper approving it, and every member of the Council has been deliged with letters favoring affirmative and prompt action.

Only Fifty at Meeting.

About fifty citizens of Marshall Ward, mainly members of the East End Improvement Association, attended the meeting in the tool house on Chimborazo Park last night, Business Manager Dabney, of the Chamber of Commerce, who has taken a leading part in the work for the union of the cities, was invited to speak for the affirmative, and Councilman Richards to speak for the opposition, Councilmen Richards, Gentry and J. C. Powers were present, as was alderman J. M. Spence, who announced that his to the county of the council has been defined to the council has been deliged with letters favoring affirmative, and Councilman Richards to speak for the opposition, Councilmen Richards, Gentry and J. C. Powers were present, as was alderman J. M. Spence, who announced that his the streets this afternoon by a Nicara in the torecite man scale in the torecite man scale in the streets this afternoon by a Nicara in the torecite man scale in the torecite

climen Richards, Gentry and J. C. Powers were present, as was Alderman J. M. Spence, who announced that his position had not been changed, and that he will vote for the ordinance. Aldermen Nelsen and Richardson, understood to be either doubtful or opposed, were not there.

Former Councilman John Grimes and the and down the position of the position

former Alderman John Satterfield were interested spectators, the latter, now Sergeant, cheering enthusiastical-

mercated sneekdors. The historic now proposed in which his pointed out its advantage of annexation. He was followed a new desired in free desired in which its pointed out its advantage of annexation. He was followed a new desired for his advantage of annexation. He was followed a new desired for his advantage of the property of the which its pointed out its advantage of the property of the which its pointed out its advantage of the property of the which its pointed out its advantage of the property of the which its pointed out its advantage of the property of the which is pointed out its advantage of the property of the which its pointed out its advantage of the property of the which its pointed out its advantage of the property of the which its pointed out its advantage of the property of the property

Calhoun Case Postponed.

San Francisco, Cal., February 14,—
Although both sides answered "ready"
to-day for the second trial of Patrick
Calhoun president of the United Rail
ways, for offering to bribe a superthe case was postponed for the time, going over until Thurs-

### TROOPS OF MADRIZ ABANDON ATTACK

But Motion to Have Damage Done by Bombardment of Matagalpa Unknown.

> TENSE SITUATION EXISTS IN CAPITAL

Hundreds of Troops Ready to Go I olony Established by Legislature. With Estrada if Latter's Advance Is Not Checked-Government Takes Steps to Protect American Interests.

Managua, Nicaragua, February 14.— Zieavy field guns posted on the hills by the Madriz forces yesterday began a bombardment o fMatagalpa, which on February 1 was taken by the revo-intionists under General Chamorroo Prior to the opening of the bombard-ment, the government notified the American consular agent at that city, William H. de Savigny, so that the non-combatants could withdraw, Mr De Savigny protested against the bom-De Savigny protested against the bom-bardment, which, nevertheless, was which, nevertheless, was

bardment, which, nevertheless, was carried out.

The Madriz troops were under command of General Lara. Subsequently, the attack upon the city was abandoned, but it is likely to be resumed at any moment. The extent of the damage has not been ascertained.

The situation in Mnaagua is tense, and no one can say what is likely to happen in the next few days, particularly in the government forces failing to dafeat the revolutionists.

To add to the serious aspect of affairs at the capital, it is known that there are hundreds here ready to take part with General Estrada and the other revolutionary leaders the moment their success is assured.

Capital Saenz Killed.

Captain Constantino Saenz, who was in command or the fring squad at the execution of the two Americans, Groce and Cannon, was shot to death in the cast which afternoon by a Nicara.

and Cannon, was shot to death in the streets this afternoon by a Nicara-guan soldier. The excitement follow-ing this tragedy was intense, and it became necessary to call out all the

Rear-Admiral Kimbail has notified the belligerents on both sides that they will be held responsible for the persons and property of neutrals in Matagalpa.

The American consul at Managua, Jose Olivares, after riding all night, arrived to-day at Metapa, twelve miles from Matagalpa. The consul is accompanying a courier who came here re-

## THROUGH FREIGHT ON SUNDAY TRAINS

House Committee Favorably Reports Bill After Hearing.

HOME SET APART FOR EPILEPTICS

State Accountant Bill Passes House-Senate Approves Separate Care for Criminal Insane-Indeterminate Sentence Bill Killed.

Over the protest of two ministers, the House Committee on Roads and Internal Navigation, at the close of a hearing yesterday, decided by virtually a unanimous vote to report favorably the Carter bill, allowing interstate trains to run on Sunday in virginia. The bill has passed the Senate by unanimous vote, and will be reported to the House days

unanimous voice, and will be reported to the House to-day.

Both the railroads and the organized railway employes of the State urged the passage of the bill. The latter claim that when Sunday arrives they are forced to stop their trains and are away from their homes and from opportunities to attend religious worship. The railroads wish to be relieved from

portunities to attend religious worship. The railroads wish to be relieved from the fines which are imposed on them in some places as penalties when they try to so arrange the running of trains as to take the trainmen into terminals. A feature of the hearing was the telling speech made by Captain W. B. Smithers, of the Southern Railway, who urged that the measure tends to better conditions for the railroad man and for more opportunities to cuttiand for more opportunities to culti-vate family life. On the other hand, those who opposed the bill regarded it as a blow to Sunday observance in Victimize.

Virginia.

Colony for Epileptics.

Establishment of the epileptic colony in Amherst county is assured, if Governor Mann signs the bill, for it passed the Senate yesterday. The House has already acted favorably. The measure carries no appropriation for this feature will be attended to by the Finance Committee in the gen-

tant that the State should formally es-tablish the colony. It has been feared that the large price paid, together with the cost of adapting the property, when considered in the light of the condition of the Treasury, would pre-clude any decided step at this session of the Legislature. The members gen-erally wish to see the consummation erally wish to see the consumit of the plan if it is possible.

criminal insane. It is inte-care for the whites of this cl-separate building at the South State Hospital, at Marion, and

#### 'FRAME-UP'' FIXED TO BEAT GLAVIS

On Witness Stand He Denounces "Trick" of Federal Officials.

STOLEN LETTERS FOUND IN HIS BOX

Documents Missing From Land Office Files and Contents Published, Alleged to Have Been Left by Him in Grand Jury Room at Seattle.

Washington, D. C., February 14.-The Ballinger-Pinchot inquiry began to bristle with interest to-day, when John E. Vertrees, counsel for Secre tary Ballinger, undertook the crossexamination of L. R. Glavis, principal

witness for the prosecution.

The climax of the day was reached late in the afternoon session, when Mr. Vertrees announced that a box belonging to Mr. Glavis and loft in the grand jury room at Seattle, had been broken open a few days ago and that a number of letters missing from the files of the Land Office in Seattle, copies of which have recently been published in a weekly paper, were found therein. found therein.

Giavis angrily declared that if any letters had been found in his belongings "a frame-up" had been prepared against him. His denunciation of Federal officials who would stoop to su a tilek to win the favor of their su periors called out a demonstration o applause from the spectators, whic caused Chairman Nelson to announc

caused Chairman Nelson to announce that a repetition of the outburst would result in the room being cleared.

Air. Vertrees announced that C. A. Christiansen, Glavis's successor as chief of the field division, would be called to testify to the finding of the letters.

At the morning session Mr. Vertrees drew from the witness the fact that he made no charges of corruption against any one in the Land Office or the Department of the Interior, Glavis

against any one in the Land Office or the Department of the Interior. Glavis declared that if he had found evidence of corruption he would have taken the matter to a grand jury instead of to the President.

Through a process of elimination the witness cleared all of the other officials of any willow averageoing. He asserted that he was fully convinced that the facts he had offered in evidence warranted the judgment that neither Secretary Ballinger nor Land Commissioner Dennitt was fit to hold an office of public trust.

Not Fit for Office.

Not Fit for Office.

As to Assistant Secretary of the Interior Pierce, Glavis declared that he had rendered an erroneous inter-1908, and that decision, while not an act of wrongdoing, indicated that he was not fit to fill the office he now holds.

At the afternoon session Glavis, in response to a question by Mr. Vertrees nummed up the specific acts of wrong loing, which he charged against Sec-etary Ballinger. His statement was a long one, but it was listened to with intense interest, and really, first time, gave a definite statement of the prosecution's case.

Washington, D. C., February 14,-"I

The Byrl liquor bill, which had been the Madriz, the which was in substance that the one he sent to Madriz, which was in substance that the United States government looked to him for the full protection of Americans in the territory covered by his operations.

Hermann Jury Disagrees.

Portland, Ore. February 14.—The veteran member from Roamoka based his good behavior, seeking to be jury in the case of Binger Hermann, colonged with land fraudes announced a disagreement to-day, and was Gistland for the confirmation of this appointment, had made an a favorably reported from the House to day to day. If the Byrl liquor bill, which had been to make their papers from day to day. If the Byrl liquor bill, which had been to make their papers from day to day. If the Committee on Counties, Cities and The United States government looked to Dury in the case of Binger Hermann, colonel Bow.

Hermann Jury Disagrees.

Portland Ore. February 14.—The veteran member from Roamoka based his gnotion upon the fact the measure carries a feature on both sides of the House widespread agitation against the high plant frailed to check that must be that in the last analysis, out of the two great organizations, the minority on time to time putting the majority on its good behavior, seeking to be used to the first head made their papers from day to day. If the United States government looked to Downs, and was on its second reading.

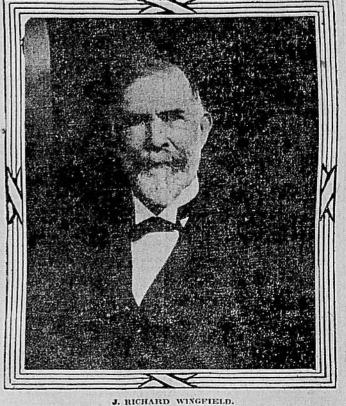
Agitation.

The Byrl liquor bill, which had been favorably reported from the House Cities and the confirmation of this appointment. His appointment was not unexpected. His agrontment to his appointment to the confirmation of the suppointment the bell and the confirmation of the suppointment that the confirmation of the function of the confirmation of the suppointment the office the confirmation of the suppointment the bell and the objects of the House of the Chiman favorable papers from day to day.

Hermann Jury Disagrees.

Portland Ore. February 14.—The bell and first call on the confirmation of the suppointment w

#### New Member of Commission



# DECORATED AND VITUPERATED

Gets Medal From Italy, and Governor Appoints Albemarle Harsh Words From Fellow Explorer.

MORE HONORS PLANNED TO FILL UNEXPIRED TERM

Antarctic to Claim Wilkes Land.

Washington, D. C., February 14.— Robert E. Peary, discoverer of the North Pole, had the unique experience of being decorated by a scientitic ated by a fellow-explorer and country man. Furthermore, it was announce that Congress may supply funds wit which the American who has been furthest North will lead an expedi-tion into the Antarctic seas to lay

The Italian Geographical Society has conferred on Commander Peary the King Humbert gold medal. Command-er Peary, however, has withheld his acceptance of the sectory's invitation a measure now subject to the or ders of the Navy Department.

Man on State Corporation Commission.

Congress May Send Him Into New Member Well Known as Manager of Two Senatorial

> Campaigns. J. Richard Wingfield, of Albemarle ernor Mann as a member of the State Corporation Commission to Colonel Joseph E. Willard, of Fairfax resigned. The appointment is for the unexpired term, which extends to February 1, 1912, and is subject to confirmation by the two houses of the General Assembly, sitting in joint session. Mr. Wingfield, who was in the city for some time yesterday, said he would take no step toward qualifying say. until the Legislature has acted and

the appointment confirmed. The appointment was made in a special massage forwarded by the Governor to both houses. Mr. Wingfield

Washington D. C. Pebraary 14.—"It all If It was decided to have decided to hav

Goes There for Fifte Days, 'Gaining Noth ing by Appeal.

ORDERED TO PAY FINE AND COST

Guilt, on Charge of Crimi Libel, Clearly Proved, Ju Making Punishment Ligh So He Could Not Pose as · Martyr-Silent as They Lead Him Away.

#### Will Not Print Pamphlet Again

Mr. Yoder in an afternoon paper the effect that I will print pamphlet for him this week. I ing. This he said he would de in view of the remarkable developments in the case, however, I fee that I am not in honor bound to abide by this agreement, and shal therefore not consent to its furthe publication from my plant.

TILDEN SCHERER.

is in absolute silence." In two minutes more the jury was the box, and Clerk Waiter Chris read the verallet, "We, the jury, the prisoner guilty as charged, and his punishment at fifteen days in and a fine of \$50." The verdict in Police Court, where Magistrate Wil Colors, resulted, was the same 8

ggs presided, was the same fall sentence, but \$100 fine. Prisoner Submits.

Yoder stood on the right side